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EXAMINER
PESIN, BORIS M

ART UNIT	PAPER NUMBER
2174	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/849,528	FISH, EDMUND J.
	Examiner	Art Unit	
	Boris Pesin	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>03 October 2005</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-82</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-35,44-52,55-63,66-69 and 73-82</u> is/are rejected.

7) ☒ Claim(s) <u>36-43,53,54,64,65 and 70-72</u> is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 10/03/2005.

Claims 1-82 are pending in this application. Claims 1, 44, 55, 66, and 73 are

independent claims. In the amendment filed 10/03/2005, Claims 1, 25, 36, 39, 42, 43,

44, 53, 54, 55, 64, 65, and 66 were amended and claims 67-82 were added as new.

This action is made Final.

The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-6, 8-10, 16-22, 25-27, 29-34, 44-48, 50-52, 55-59, 61-63, 66, 67, 68, 69, and 73-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friedman (US 6714791) in view of Hendrey et al. (US 2003/0060214).

In regards to claim 1, Friedman teaches a method, performed at least partially on a computer, for providing notification information corresponding to a communication identity, the method comprising: accessing notification setting information stored in a computer storage medium that identifies a condition; determining whether the condition is satisfied; and controlling dissemination of notification information related to the communications identity based on whether the condition is satisfied (i.e. "User A's preferences with respect to location tracking may be stored in User A's configuration profile 1012 on the portal server 110. Subsequently, when User A transmits a message (via messaging module 1011), the location tracking module 1010 will read User A's specifications from User A's configuration profile 1012 to determine how to format User A's positional data for transmission to User B and/or User C." Column 13, Line 10 and "these variables may or may not be transmitted for certain users depending on the profiles of those users (e.g., some users such as user "Andy" in the example may not want precise location data transmitted to other users" Column 13, Line 45). Friedman does not teach a temporal condition including at least one temporal period during which notification information is to be provided or withheld, wherein a beginning and an end of the at least one temporal period are specified in the notification setting information in advance of the beginning of the temporal period. Hendrey teaches, "The request SetVisibility 308 sets the user visibility to other user

requests, such as ListNearbyUser 306 requests. When made part of a rule, the SetVisibility 308 request allows dynamic rule-based privacy. For example, a user can specify a rule that when the user is home, the user is invisible to ListNearbyUsers 306 requests made by other users."(Paragraph 50). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Friedman with the teachings of Hendrey and include a messaging system with a temporal period with the motivation to provide the user with control over his or her privacy.

In regards to claim 2, Friedman and Hendrey further teach the method of claim 1 wherein the notification information indicates whether the communications identity is available to communicate (i.e. "The request SetVisibility 308 sets the user visibility to other user requests, such as ListNearbyUser 306 requests. When made part of a rule, the SetVisibility 308 request allows dynamic rule-based privacy. For example, a user can specify a rule that when the user is home, the user is invisible to ListNearbyUsers 306 requests made by other users." Hendrey, Paragraph 50).

In regards to claim 3, Friedman and Hendrey further teach the method of claim 2 wherein the notification information indicates whether the communications identity is logged on to a particular communications system (i.e. "The request SetVisibility 308 sets the user visibility to other user requests, such as ListNearbyUser 306 requests. When made part of a rule, the SetVisibility 308 request allows dynamic rule-based privacy. For example, a user can specify a rule that when the user is home, the user is invisible to ListNearbyUsers 306 requests made by other users." Hendrey, Paragraph 50).

In regards to claim 4, Friedman and Hendrey further teach the method of claim 3 wherein the notification information indicates whether the communications identity is logged on to an instant messaging system (i.e. "The request SetVisibility 308 sets the user visibility to other user requests, such as ListNearbyUser 306 requests. When made part of a rule, the SetVisibility 308 request allows dynamic rule-based privacy. For example, a user can specify a rule that when the user is home, the user is invisible to ListNearbyUsers 306 requests made by other users." Hendrey, Paragraph 50).

In regards to claim 5, Friedman and Hendrey further teach the method of claim 1 wherein the notification information indicates a geographic location of the communications identity (i.e. "User A's preferences with respect to location tracking may be stored in User A's configuration profile 1012 on the portal server 110. Subsequently, when User A transmits a message (via messaging module 1011), the location tracking module 1010 will read User A's specifications from User A's configuration profile 1012 to determine how to format User A's positional data for transmission to User B and/or User C." Friedman, Column 13, Line 10 and "these variables may or may not be transmitted for certain users depending on the profiles of those users (e.g., some users such as user "Andy" in the example may not want precise location data transmitted to other users" Friedman, Column 13, Line 45).

In regards to claim 6, Friedman and Hendrey further teach the method of claim 5 further comprising controlling a granularity at which the geographic location is disseminated based on notification setting information ("these variables may or may not be transmitted for certain users depending on the profiles of those users (e.g.,

some users such as user "Andy" in the example may not want precise location data transmitted to other users" Friedman, Column 13, Line 45).

In regards to claim 8, Friedman and Hendrey further teach the method of claim 6 wherein the granularity at which the geographic location is disseminated comprises one of a street address, a city, a metropolitan area, an area within a metropolitan area, a region of a country, or a country (i.e. Friedman, Figure 11).

In regards to claim 9, Friedman and Hendrey further teach the method of claim 6 wherein controlling the granularity at which the geographic location is disseminated comprises doing so based on notification setting information that is associated with a participant list (i.e. "User A's preferences with respect to location tracking may be stored in User A's configuration profile 1012 on the portal server 110. Subsequently, when User A transmits a message (via messaging module 1011), the location tracking module 1010 will read User A's specifications from User A's configuration profile 1012 to determine how to format User A's positional data for transmission to User B and/or User C." Friedman, Column 13, Line 10).

In regards to claim 10, Friedman and Hendrey further teach the method of claim 6 wherein controlling the granularity at which the geographic location is disseminated comprises doing so based on notification setting information that is associated with a category of communications identities on a participant list (i.e. "User A's preferences with respect to location tracking may be stored in User A's configuration profile 1012 on the portal server 110. Subsequently, when User A transmits a message (via messaging module 1011), the location tracking module 1010 will read User A's

specifications from User A's configuration profile 1012 to determine how to format User

A's positional data for transmission to User B and/or User C." Friedman, Column 13,

Line 10).

In regards to claim 16, Friedman and Hendrey further teach the method of claim

1 comprising transmitting notification information between a mobile communications

device capable of transmitting voice communications and an instant messaging system

(Friedman, Column 6, Line 44).

In regards to claim 17, Friedman and Hendrey do not specifically teach a method

comprising storing notification setting information on the mobile communications

device. Official notice is given that it is well known in the art to store data on the

communications device. It would have been obvious to one of ordinary skill in the art

at the time of the invention to modify Friedman and Hendrey and include a method to

store data on the communications device with the motivation to provide the user with

quicker access to data.

In regards to claim 18, Friedman and Hendrey further teach a method of claim 16

further comprising storing notification setting information on the instant messaging

system (Friedman, Column 13, Lines 10-13).

In regards to claim 19, Friedman and Hendrey further teach a method of claim 1

wherein notification setting information comprises notification information that is

associated with one of multiple categories of notification information (Friedman,

Column 13, Lines 1-9).

In regards to claim 20, Friedman and Hendrey further teach a method of claim 19 wherein notification setting information comprises multiple notification setting information components, each of which is associated with a hierarchy of notification categories (Friedman, Column 13, Lines 1-9).

In regards to claim 21, Friedman and Hendrey further teach a method of claim 19 wherein at least one of the multiple categories comprises a user-definable category (Friedman, Column 13, Line 3).

In regards to claim 22, Friedman and Hendrey further teach a method of claim 19 wherein at least one of the multiple categories is associated with a participant list identifying multiple communications identities designated by a user (Friedman, Column 13, Line 3).

In regards to claim 25, Friedman and Hendrey further teach a method of claim 1 wherein controlling dissemination of notification information comprises denying dissemination of notification information, the method further comprising: detecting an incoming communication associated with a user corresponding to the notification information (Friedman, Figure 11); and alerting the user to the incoming communication (Friedman, Figure 11).

In regards to claim 26, Friedman and Hendrey further teach a method of claim 25 wherein the incoming communication comprises an attempt to determine the geographic location of the user (Friedman, Figure 11).

In regards to claim 27, Friedman and Hendrey further teach a method of claim 25 wherein the incoming communication comprises an instant message sent to the user (Friedman, Figure 11).

In regards to claim 29, Freidman and Hendrey further teach a method of claim 1 wherein the temporal condition applies to all of several participant lists, each participant list identifying multiple communications identities designated by a user (i.e. "The request SetVisibility 308 sets the user visibility to other user requests, such as ListNearbyUser 306 requests. When made part of a rule, the SetVisibility 308 request allows dynamic rule-based privacy. For example, a user can specify a rule that when the user is home, the user is invisible to ListNearbyUsers 306 requests made by other users." Hendrey, Paragraph 50).

In regards to claim 30, Freidman and Hendrey further teach a method of claim 1 wherein the temporal condition applies to all individuals included in a participant list associated with the user (i.e. "The request SetVisibility 308 sets the user visibility to other user requests, such as ListNearbyUser 306 requests. When made part of a rule, the SetVisibility 308 request allows dynamic rule-based privacy. For example, a user can specify a rule that when the user is home, the user is invisible to ListNearbyUsers 306 requests made by other users." Hendrey, Paragraph 50).

In regards to claim 31, Friedman and Hendrey further teach a method of claim 1 wherein the temporal condition applied to at least one individual included in a participant list associated with the user differs from a temporal condition applied to at least one other individual included in the participant list (i.e. "The request SetVisibility

308 sets the user visibility to other user requests, such as ListNearbyUser 306

requests. When made part of a rule, the SetVisibility 308 request allows dynamic rule-

based privacy. For example, a user can specify a rule that when the user is home, the

user is invisible to ListNearbyUsers 306 requests made by other users." Hendrey,

Paragraph 50).

In regards to claim 32, Friedman and Hendrey further teach a method of claim 1

further comprising: accessing status information corresponding to availability of a

communications identity included on a participant list that has multiple communications

identities designed by a user, wherein: accessing notification setting information

comprises accessing notification setting information for one or more participant lists

associated with the communications identity (Friedman, Column 13, Lines 1-9), the

notification setting information indicating a temporal condition for notifying

communication identities on one or more of the participant lists such that the condition

includes a temporal period during which notification information is to be restricted

(Hendrey, Paragraph 50), and controlling the dissemination of notification information

comprises, in response to a determination that the temporal condition is not satisfied,

passively configuring the participant list to persistently conceal the status of the

communications identity (Hendrey, Paragraph 50).

In regards to claim 33, Friedman and Hendrey further teach a method of claim 32

wherein persistently concealing the status of the communications identity comprises

indicating that availability information for the communications identity is unknown

(Friedman, Figure 11).

In regards to claim 34, Friedman and Hendrey further teach a method of claim 32 wherein persistently concealing the status of the communications identity comprises indicating that the communications identity is not available to communicate (Hendrey, Paragraph 50).

Claims 44-48 are similar in scope to claims 1-5; therefore they are rejected under similar rationale.

Claim 50 is similar in scope to claim 16; therefore it is rejected under similar rationale.

Claim 51 is similar in scope to claim 19; therefore it is rejected under similar rationale.

Claim 52 is similar in scope to claim 32; therefore it is rejected under similar rationale.

Claims 55-59 are similar in scope to claims 1-5; therefore they are rejected under similar rationale.

Claim 61 is similar in scope to claim 16; therefore it is rejected under similar rationale.

Claim 62 is similar in scope to claim 19; therefore it is rejected under similar rationale.

Claim 63 is similar in scope to claim 32; therefore it is rejected under similar rationale.

Claim 66 is similar in scope to claim 1; therefore it is rejected under similar rationale.

In regards to claim 67, Friedman and Hendrey further teach the method of claim 1 wherein the end of the at least one temporal period identifies a specific time at which the temporal period ends (i.e. "to address privacy concerns, the instruction could be "take this ListNearbyUsers and execute it only between the hours of 9:00 a.m. and 9:00 p.m., on Monday thru Friday (or any other time) when I am not at work (or any other location)." Such an end-user instruction is presented to the Location Server 508 via the application system 510, as described with reference to FIG. 1A. This sequence "persists" the Rule within the system and enables the Location Server 508 to "remember" the rule and raise events based on a single rule, delivered to the Location Server 508 once. Upon receiving such a Rule, the Location Server 508 will execute the requests associated with the Rule via an Action under the specified Event conditions" (Hendrey, Paragraph [0068])).

Claims 68 and 69 are similar in scope to claim 67; therefore they are rejected under similar rationale.

Claim 73 is similar in scope to claims 44; therefore it is rejected under similar rationale. Hendrey further teaches that notification setting information defines a duration and specifies at least one of a beginning and an end of the duration (i.e. "to address privacy concerns, the instruction could be "take this ListNearbyUsers and execute it only between the hours of 9:00 a.m. and 9:00 p.m., on Monday thru Friday (or any other time) when I am not at work (or any other location)." Such an end-user instruction is presented to the Location Server 508 via the application system 510, as described with reference to FIG. 1A. This sequence "persists" the Rule within the

system and enables the Location Server 508 to "remember" the rule and raise events

based on a single rule, delivered to the Location Server 508 once. Upon receiving

such a Rule, the Location Server 508 will execute the requests associated with the

Rule via an Action under the specified Event conditions" (Hendrey, Paragraph [0068])).

In regards to claim 74, Friedman and Hendrey further teach the method of claim

73 wherein the notification setting information comprises an indication of a repeating

period (Hendrey, Figure 1A, Element 104, *rules are defined by the user and stored in*

the database).

In regards to claim 75, Friedman and Hendrey further teach the method of claim

74 wherein the repeating period comprises once a month (Hendrey, Figure 1A,

Element 104, *rules are defined by the user and stored in the database*).

In regards to claim 76, Friedman and Hendrey further teach the method of claim

73 further comprising determining an end of the duration based on the beginning of the

duration (Hendrey, Figure 1A, Element 104, *rules are defined by the user and stored in*

the database).

In regards to claim 77, Friedman and Hendrey further teach the method of claim

73 further comprising determining a beginning of the duration based on the end of the

duration (Hendrey, Figure 1A, Element 104, *rules are defined by the user and stored in*

the database).

In regards to claim 78, Friedman and Hendrey further teach the method of claim

73 wherein the beginning of the duration comprises day and a time (Hendrey, Figure

1A, Element 104, *rules are defined by the user and stored in the database*).

In regards to claim 79, Friedman and Hendrey further teach the method of claim 73 wherein the beginning of the duration comprises a day and an abstract indication of time (Hendrey, Figure 1A, Element 104, *rules are defined by the user and stored in the database*).

In regards to claim 80, Friedman and Hendrey further teach the method of claim 73 wherein the beginning of the duration is specified in advance of the beginning of the temporal period (Hendrey, Figure 1A, Element 104, *rules are defined by the user and stored in the database*).

In regards to claim 81, Friedman and Hendrey further teach the method of claim 73 wherein the notification setting information specifies a beginning of the duration (Hendrey, Figure 1A, Element 104, *rules are defined by the user and stored in the database*). .

In regards to claim 82, Friedman and Hendrey further teach the method of claim 73 wherein the notification setting information specifies an end of the duration (Hendrey, Figure 1A, Element 104, *rules are defined by the user and stored in the database*). .

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Friedman (US 6714791) in view of Hendrey et al. (US 2003/0060214) further in view of Barclay et al. (US 2003/0119522).

In regards to claim 7, Friedman and Hendrey teach all the limitations of claim 6. They do not teach a method further comprising permitting a recipient of geographic

location to control the granularity of the geographic location displayed. Barclay

teaches, "The customer may select the granularity (303) of the location information as

well as the format (309) in which the information is sent." (Abstract). It would have

been obvious to one of ordinary skill in the art at the time of the invention to modify

Friedman and Hendrey with the teachings of Barclay and permit the recipient of a

geographic location to control granularity with the motivation to provide the user with

greater control of information available.

Claims 11, 12, 13, 14, 15, 49, and 60 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Friedman (US 6714791) in view of Hendrey et al. (US

2003/0060214) further in view of Gudjonsson et al. (US 6564261).

In regards to claim 11, Friedman and Hendrey teach all the limitations of claim 1.

They further teach setting a temporal condition during which notification information is

to be provided or withheld. They do not teach accessing one of many participant lists,

each of which identifies multiple communications identities designated by a user,

wherein: accessing notification setting information comprises doing so for one or more

participant lists that identifies a condition for notifying communications identities on a

participant list, and controlling dissemination comprises controlling dissemination of

notification information relating to communications identities identified on the at least

one of many participant lists. Gudjonsson teaches, "The user may specify users or

groups of users that can get through to him/her even if his online status is do not

disturb. Any of the groups defined in the buddy list, or the inverse (i.e., all users not in

the group) of those groups, may be used to specify this. There can be one generic

ready-made stock reply for each online status available." (Column 27, Line 23). It

would have been obvious to one of ordinary skill in the art at the time of the invention to

modify Friedman with the teachings of Gudjonsson and include a method of accessing

notification setting information for participant lists with the motivation to provide the

user with a quicker method of accessing information.

In regards to claim 12, Friedman, Hendrey and Gudjonsson further teach the

method of claim 11 wherein different temporal conditions are associated with different

ones of the participant lists (i.e. "The user may specify users or groups of users that

can get through to him/her even if his online status is do not disturb. Any of the groups

defined in the buddy list, or the inverse (i.e., all users not in the group) of those groups,

may be used to specify this. There can be one generic ready-made stock reply for

each online status available." (Gudjonsson, Column 27, Line 23).

In regards to claim 13, Friedman, Hendrey and Gudjonsson further teach the

method of claim 11 wherein determining whether the temporal condition is satisfied

comprises doing so for at least one but less than all of the participant lists (i.e. "The

user may specify users or groups of users that can get through to him/her even if his

online status is do not disturb. Any of the groups defined in the buddy list, or the

inverse (i.e., all users not in the group) of those groups, may be used to specify this.

There can be one generic ready-made stock reply for each online status available."

(Gudjonsson, Column 27, Line 23).

In regards to claim 14, Friedman, Hendrey and Gudjonsson further the method of claim 11 wherein controlling dissemination comprises providing notification information (i.e. "User A's preferences with respect to location tracking may be stored in User A's configuration profile 1012 on the portal server 110. Subsequently, when User A transmits a message (via messaging module 1011), the location tracking module 1010 will read User A's specifications from User A's configuration profile 1012 to determine how to format User A's positional data for transmission to User B and/or User C." Friedman, Column 13, Line 10).

In regards to claim 15, Friedman, Hendrey and Gudjonsson further the method the method of claim 11 wherein controlling dissemination comprises restricting the provision of notification information ("these variables may or may not be transmitted for certain users depending on the profiles of those users (e.g., some users such as user "Andy" in the example may not want precise location data transmitted to other users" Friedman, Column 13, Line 45).

Claim 49 is in the same context as claim 11; therefore it is rejected under similar rationale.

Claim 60 is in the same context as claim 11; therefore it is rejected under similar rationale.

Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Friedman (US 6714791) in view of Hendrey et al. (US 2003/0060214) further in
view of Karstens (US2005/0071435).

In regards to claim 23, Freidman and Hendrey teach all the limitations of claim 1.
They do not teach displaying an alert that indicates the notification setting that is to be
applied based on the temporal condition. Karstens teaches displaying an alert that
indicates the notification setting that is to be applied based on the temporal condition
(Figure 5). It would have been obvious to one of ordinary skill in the art at the time of
the invention to modify Friedman and Hendrey with the teachings of Karstens with the
motivation to increase the overall efficiency (Karstens, Paragraph [0008]).

In regards to claim 24, Friedman, Hendrey and Karstens further teach a method
claim 23 further comprising prompting a user to modify the notification setting
information that is to be applied based on the temporal condition (Karstens, Figure 5).

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over
Friedman (US 6714791) in view of Hendrey et al. (US 2003/0060214) further in view of
Rahman et al. (US 6463292).

In regards to claim 28, Friedman and Hendrey teach all the limitations of claim 1.
They do not specifically teach a method further comprising when the temporal
condition is satisfied such that availability of the user to communicate is hidden and the
user indicates that a message is to be sent, displaying a prompt to alert the user that
the availability of the user to communicate will be revealed when the message is sent.

Rahman teaches, "a user interface manager for displaying user-interactive prompts in response to the detected alert message". It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Friedman and Hendrey with the teachings of Rahman and include a system to alert the user when information is being sent with the motivation to provide the user with greater privacy.

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Friedman (US 6714791) in view of Hendrey et al. (US 2003/0060214) further in view of deCarmo (US 2004/0010808).

In regards to claim 35, Freidman and Henrey teach all the limitations of claim 34. They do not specifically teach a method wherein persistently concealing the status of the communications identity comprises indicating that the communications identity is not logged onto an instant message system used by the communications identity when the communications identity is logged onto the instant message system. deCarmo teaches, "Flowchart 400 is based on the user and the user's preferences and interacts with message server 110 to automatically establish or hide a user's presence and availability for instant messaging." (Paragraph [36]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Freidman and Hendrey with the teachings of deCarmo and include a method to hide the users online activity with the motivation to provide the user with a higher control of privacy.

Allowable Subject Matter

Claims 36-38, 53, 64, and 70-72 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: In regards to claim 36, 53 and 64, prior art does not teach accessing information indicating that a first communications identity associated with a first mobile device is associated with a second communications identity such that the first communications identity corresponds to a natural person and the second communications identity corresponds to the natural person wherein the natural person is the same person; in combination will all of the other claim limitations.

Claims 39-43, 54, and 65 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: In regards to claim 39, 54 and 65, prior art does not teach accessing delegation information associated with a communications identity, the delegation information including multiple categories of communications identities and, for at least one of the multiple categories, identifying notification information modifications to be controlled; receiving, from user identity associated with a category of the multiple categories, a modification of notification information regarding the notification setting information; accessing delegation information associated with the category; determining whether the

user identity is permitted to perform the modification based on the delegation

information associated with the category; in combination with all the other claim

limitations.

Response to Arguments

Applicant's arguments filed 10/03/2005 have been fully considered but they are

not persuasive.

The Applicant argues that Friedman and Hendrey, either alone or in combination,

fail to teach a temporal condition including at least one temporal period during which

notification information is to be provided or withheld, wherein a beginning and an end

of the at least one temporal period are specified in the notification setting information in

advance of the beginning of the temporal period.

The Examiner disagrees. Hendrey teaches that, "to address privacy concerns,

the instruction could be "take this ListNearbyUsers and execute it only between the

hours of 9:00 a.m. and 9:00 p.m., on Monday thru Friday (or any other time) when I am

not at work (or any other location)." Such an end-user instruction is presented to the

Location Server 508 via the application system 510, as described with reference to

FIG. 1A. This sequence "persists" the Rule within the system and enables the

Location Server 508 to "remember" the rule and raise events based on a single rule,

delivered to the Location Server 508 once. Upon receiving such a Rule, the Location

Server 508 will execute the requests associated with the Rule via an Action under the

specified Event conditions" (Paragraph [0068]). This example clearly illustrates a

temporal condition including at least one temporal period during which notification

information is to be provided or withheld, wherein a beginning and an end of the at

least one temporal period are specified in the notification setting information in advance

of the beginning of the temporal period.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070.

The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BP

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